

HSPCB

HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULAPh. 0172-2577870-73
Email: hspcbhq@gmail.com

Completed
Asstt. Clerk: DCO, Clerk-II

Closure Order.

No. HSPCB/BHI/2020/20335

dated: 29/1/2020

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI.

OA NO. 856/2019

IN THE MATTER OF

Pawan Kumar & Ors.

Applicant

VERSUS

State of Haryana

Respondent

**ACTION TAKEN REPORT ON THE BEHALF OF HARYANA STATE POLLUTION
CONTROL BOARD**

MOST RESPECTFULLY SHOWETH:-

1. That the Hon'ble Tribunal took cognizance of the complaint received by post and directed Haryana State Pollution Control Board to verify on the actual aspects set out in the application and to take look into the matter, take appropriate action in accordance with law and an action taken report be filed before the Hon'ble Tribunal.
2. That the above said unit is a small scale and is a tyre pyrolysis plant. Unit has obtained valid Consent to establish from HSPCB vide letter dated 21/04/2017 under Water Act, 1974 & Air Act, 1981. Copy of CTE is enclosed as **Annexure-1**.
3. That the site was visited on 13.06.2019 by Field Officer of HSPCB, Bhiwani Region. Spot Inspection Report is enclosed as **Annexure-2**. The observations are summarized as below:-
 - Unit found operating without obtaining CTO form the board.
 - APCM/ETP are not adequate.
 - Unit has not provided sampling facility.
 - Unit is not complying the SOPs guidelines under HOWM Rules, 2016.
 - Not made agreement with GEPIL for proper disposal of hazardous waste.

- Not made agreement with actual users for sale & purchase of pyrolysis oil and carbon.

Action taken by Haryana State Pollution Control Board is as follows:-

A) Closure Action.

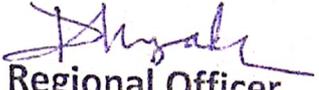
Closure order against the unit was issued by the HSPCB vide order No. HSPCB/2019/1629 dated 30.08.2019, which was complied on 04.09.2019. Copy of closure order is annexed herewith as **Annexure-3**.

B) Environmental Compensation

Environmental Compensation of Rs. 11,32,813/- has been assessed to be imposed on the unit as per Board Policy dated 29.04.2019 and has been sent to head office for approval of competent authority (**Annexure-4**).

4. That unit has complied with the non compliances mentioned in the closure order. Copy of spot inspection report is enclosed herewith as (**Annexure-5**)

The report is submitted accordingly for kind consideration. It is undertaken to comply with the directions passed by this Hon'ble Tribunal.


Regional Officer,
Bhiwani Region





HARYANA STATE POLLUTION CONTROL BOARD

SCO-21, 1st floor, Improvement Trust
near Hansi Gate Bhiwani Ph. 01664-240259

Website – www.hspcb.gov.in E-Mail - hspcb.pkl@sifymail.com

Telephone No. – 0172-2577870-73

No. HSPCB/Consent/ : 329805017KAICTE3809783

Dated:21/04/2017

To

M/s : Super Oil
VILL SOTHA TEH & DISTT KAITHAL
KAITHAL
136033

Sub. : Grant of consent to Establish to M/s Super Oil

Please refer to your application received on dated 2017-03-01 in regional office Jind.
With reference to your above application for consent to establish, M/s Super Oil is here by granted consent as per following specification/Terms and conditions.

Consent Under	AIR/WATER/HWM
Period of consent	21/04/2017 - 20/04/2022
Industry Type	Recycling/Pyrolysis plant of waste pneumatic tyre/ tyre scraps
Category	ORANGE
Investment(In Lakh)	49.0
Total Land Area (Sq. meter)	3600.0
Total Builtup Area (Sq. meter)	450.0
Quantity of effluent	
1. Trade	0.15 KL/Day
2. Domestic	0.5 KL/Day
Number of outlets	2.0
Mode of discharge	
1. Domestic	ETP
2. Trade	ETP
Domestic Effluent Parameters	
1. NA	0 mg/l
Trade Effluent Parameters	
1. NA	0 mg/l
Number of stacks	1
Height of stack	
1. CHIMNEY	30 METER
Emission parameters	
1. NA	0 mg/m ³
Capacity of boiler	
1. NA	0 Ton/hr

Type of Furnace	
1. NA	00
Type of Fuel	
1. Electricity	35 Kilowatt/day

Regional Officer, Jind
Haryana State Pollution Control Board,
Panchkula.

Terms and conditions

1. The industry has declared that the quantity of effluent shall be 1.15 KL/Day i.e 0.15KL/Day for Trade Effluent, 0.5 KL/Day for Cooling, 0.5 KL/Day for Domestic and the same should not exceed .
2. The above "Consent to Establish" is valid for 60 months from the date of its issue to be extended for another one year at the discretion of the Board or till the time the unit starts its trial production whichever is earlier. The unit will have to set up the plant and obtain consent during this period.
3. The officer/official of the Board shall have the right to access and inspection of the industry in connection with the various processes and the treatment facilities being provided simultaneously with the construction of building/machinery. The effluent should conform the effluent standards as applicable
4. That necessary arrangement shall be made by the industry for the control of Air Pollution before commissioning the plant. The emitted pollutants will meet the emission and other standards as laid/will be prescribed by the Board from time to time.
5. The applicant will obtain consent under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 as amended to-date-even before starting trial production
6. The above Consent to Establish is further subject to the conditions that the unit complies with all the laws/rules/decisions and competent directions of the Board/Government and its functionaries in all respects before commissioning of the operation and during its actual working strictly.
7. No in-process or post-process objectionable emission or the effluent will be allowed, if the scheme furnished by the unit turns out to be defective in any actual experience
8. The Electricity Department will give only temporary connection and permanent connection to the unit will be given after verifying the consent granted by the Board, both under Water Act and Air Act.
9. Unit will raise the stack height of DG Set/Boiler as per Board's norms.
10. Unit will maintain proper logbook of Water meter/sub meter before/after commissioning.
11. That in the case of an industry or any other process the activity is located in an area approved and that in case the activity is sited in an residential or institutional or commercial or agricultural area, the necessary permission for siting such industry and process in an residential or institutional or commercial or agricultural area or controlled area under Town and Country Planning laws CLU or Municipal laws has to be obtained from the competent Authority in law permitting this deviation and be submitted in original with the request for consent to operate.
12. That there is no discharge directly or indirectly from the unit or the process into any interstate river or Yamuna River or River Ghaggar.

13. That the industry or the unit concerned is not sited within any prohibited distances according to the Environmental Laws and Rules, Notification, Orders and Policies of Central Pollution control Board and Haryana State Pollution Control Board.
14. That of the unit is discharging its sewage or trade effluent into the public sewer meant to receive trade effluent from industries etc. then the permission of the Competent Authority owing and operating such public sewer giving permission letter to his unit shall be submitted at time of consent to operate.
15. That if at any time, there is adverse report from any adjoining neighbor or any other aggrieved party or Municipal Committee or Zila Parishad or any other public body against the unit's pollution; the Consent to Establish so granted shall be revoked.
16. That all the financial dues required under the rules and policies of the Board have been deposited in full by the unit for this Consent to Establish.
17. In case of change of name from previous Consent to Establish granted, fresh Consent to Establish fee shall be levied.
18. Industry should adopt water conservation measures to ensure minimum consumption of water in their Process. Ground water based proposals of new industries should get clearance from Central Ground Water Authority for scientific development of previous resource.
19. That the unit will take all other clearances from concerned agencies, whenever required.
20. That the unit will not change its process without the prior permission of the Board.
21. That the Consent to Establish so granted will be invalid, if the unit falls in Aravali Area or non conforming area.
22. That the unit will comply with the Hazardous Waste Management Rules and will also make the non-leachate pit for storage of Hazardous waste and will undertake not to dispose off the same except for pit in their own premises or with the authorized disposal authority.
23. That the unit will submit an undertaking that it will comply with all the specific and general conditions as imposed in the above Consent to Establish within 30 days failing which Consent to Establish will be revoked.
24. That unit will obtain EIA from MoEF, if required at any stage.
25. In case of unit does not comply with the above conditions within the stipulated period, Consent to Establish will be revoked.
26. That unit will obtain consent to operate from the board before the start of product activity.

Specific Conditions

Other Conditions :

1. Unit will provide adequate effluent treatment plant and air pollution control measures including foul smell as proposed to meet the prescribed standards under EP Rules,1986.
2. The unit will comply all the provisions of HWM Rules and will make the agreement with GEPIL for disposal of disposable and incinerable Hazardous waste and recyclable Hazardous waste will be sold to authorized Recyclers of the same.
3. The unit will install adequate acoustic enclosures/chambers on their DG SETS with proper stack height as per prescribed norms to meet the prescribed standards under EP Rules,1986. .
4. The unit will utilize the treated effluent as proposed by unit.
5. unit will provide proper sampling arrangements on their stacks.

Regional Officer, Jind
Haryana State Pollution Control Board,



Haryana State Pollution Control Board Jind Region at Bhiwani

Annexure-2

file it
~~BY~~
clerk

SPOT INSPECTION REPORT

M/S Super Oil (Pyrolysis oil) Unit
Village- Soth, Teh. Siwan
Distt. Kaithal

- 1 Name of the Unit
- 2 Address of Unit
- 3 Co-ordinate of the unit
Longitude : 76,344089
Latitude : 29,93910
- 4 Time & Date of Inspection : 13-6-2019
- 5 Name of the Managing Director / Directors/Partners/ Sole prop./ Occupier/ Manager & their Address : Sh. Rajat Mehta (Partner)
Sh. Sharad Mehta (Partner)
Sh. Hitesh Malik (Partner)
Sh. Hardeep Nagpal
- 6 Products manufactured with quantity : Pyrolysis oil - Plant
- 7 Raw material used : Used Types & Tubes.
- 8 Manufacturing process (in brief) : Submitted during C.T.E
- 9 Date of Commissioning of the Unit : Estimated Dated 15/7/2019
- 10 Source of air Emissions : Reactors.
- 11 Type & quantity of Fuel used / day : Wood & Electricity

- 12 Status of Air Pollution Control Measures (APCM) with brief detail : Provided
- 13 Whether provided Sample arrangements on Stacks : CTE obtained vide No. 3809783 Dated 21/4/17 upto 20/4/202 Under Installation
- 14 Remarks : During visit complainants were present and plant not found in operational and installation work found in progress. ETI not adequate

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Signature of the representative of the unit
Name of the representative: Hitesh, (Partner)
Designation: Partner SUPER OIL

Signature of the Officer/Official
conducted the inspection
Name of Officer/ Official:
Designation:

Dated: 13-6-19 complainates Partner

Dated:

- ① Lakhvinder Singh - 9996713511 } Refused To Sign
- ② Pawan Kumar - 9034311051 } Refused To Sign
- ③ Satish Kumar - Sarpanch - Solahia
- ④ Bale - 9050175437
- ⑤ Tekchand - 9896033726
- ⑥ Sandeep Goyal - 9034311051

① Bakshish - 905017527
② Sanjay -



Annexure = 3
Compl. to be done

P. E.
12/11/19

Closure Order.

Whereas, M/s Super Oil, Village- Sotha, (Tyre Pyrolysis Unit) Post Office Siwan, Distt. Kaithal is a Tyre Pyrolysis Units which is covered under consent management of the Board and polluting in nature;

Whereas, a complaint was received through CM window portal vide registration no. CMOFF/N/2019/056622 dated 04.06.2019 and unit was inspected by the concerned Field Officer of HSPCB on dt.13.06.2019 & during inspection following non compliances has been found:-

1. Unit found operating without obtaining CTO from the Board.
2. APCM/ ETP are not adequate.
3. Unit has not provided sampling facility.
4. Unit is not complying of the SOPs guidelines issued under HOWM Rules, 2016
5. Not made agreement with GEPIL for proper disposal of hazardous waste.
6. Not made agreement with actual users for sale & purchase of pyrolysis oil & carbon.

Closure order implemented on Dated 4/9/19 file it
G.M.
Chuk

Whereas show cause notice for closure under section 31-A of Air Act, 1981, under section 33-A of Water Act, 1974 and HOWM Rules, 2016 was issued to the unit by the Regional Office, Bhiwani vide letter no. 16073-74 dt.18.06.2019 but unit has not submitted the reply of said SCN.

Whereas, the case has been examined and it has found that unit is grossly violating the provisions of Air (Prevention & Control of Pollution) Act, 1981 and Water (Prevention & Control of Pollution) Act, 1974 and HOWM Rules, 2016.

Therefore, keeping in view of the above said facts and in exercise of the powers conferred under section 31-A of Air (Prevention & Control of Pollution) Act 1981 and under section 33-A of Water (Prevention & Control of Pollution) Act, 1974 and under section 5 of EP Act, 1986 for violation of HOWM Rules, 2016. it is hereby ordered to close down the operation of M/s Super Oil, Village- Sotha, (Tyre Pyrolysis Unit) Post Office Siwan, Distt. Kaithal by sealing plant & machinery including DG Set along-with disconnection of electricity & water supply with immediate effect.

Dated Panchkula.
28th Aug, 2019.

Ashok Kheterpal
Chairman.

Endst. No. HSPCB/ 2019/ 109

Dated: 30/8/19

A copy of the above is forwarded to the following for information and necessary action.

fms
56536

- 1 The Deputy Commissioner, Kaithal.
- 2 The Regional Officer, HSPCB, Bhiwani. He is directed to submit **compliance of closure order immediately**. He is directed to recommend the case for imposing penalty of environment compensation as per policy and also submit the case for initiating legal action as per policy of the Board.
- 3 The Executive Engineer (OP) DHBVN, Jind. He is directed to disconnect the electricity supply of the above said unit immediately and submit the compliance report within 3 days positively.
- 4 The Executive Engineer, PHED, Jind. He is directed to disconnect the Water supply of the above said unit immediately and submit the compliance report within 3 days positively.
- 5 M/s Super Oil, Village- Sotha, (Tyre Pyrolysis Unit) Post Office Siwan, Distt. Kaithal.

OH
Env. Engineer (H.Q.)
For Chairman



PTMS-4990

Tele No. 01664-256259

Annexure -4

Regional Office

Haryana State Pollution Control Board,
SCF-32, Opp. Community Centre, Sector-13, HUDA, Bhiwani



Email-hspcbrojr@gmail.com

No. HSPCB/BHI/2020/

2068

Dated 22/20

To

The Chairman,
Haryana State Pollution Control Board,
Panchkula.

**Sub: Environmental Compensation Assessment report – M/s Super Oil, Village Sotha,
Siwan, Kaithal**

In this connection, it is intimated that unit was inspected by the concerned field officer Sh. Ombir Singh, AEE on dated 13.06.2019 and during inspection it was found that you have installed a tyre pyrolysis unit & running without obtaining CTO from the Board

Unit was sealed by board on dated 04.09.2019

Thus, your unit is willfully & deliberately violating under section 33-A of Water Act, 1981.

In view of above, unit is liable to pay the environmental compensation as per direction of the board issued vide office order no. 6043-6075 dated 29.04.2019, as assessed by this office as per methodology defined therein. The assessment report for Environmental Compensation is given as under:

$$EC = PI * N * R * S * LF$$

$$\text{i.e. } EC = 50 * N * 250 * 0.5 * 1.25 = \text{Rs. } 7812.5/- \text{ per day} * N \text{ (number of days)}$$

$$N = 13.06.2019 \text{ to } 04.09.2019 = 145 \text{ days}$$

$$EC = 7812.5 * 145 = \text{Rs. } 11,32,813 /-$$

In view of above, it is requested that the assessment report may be examined and finalized at Head office level by the committee of the officers so that the further directions could be issued to the defaulting unit accordingly.


Regional Officer
Bhiwani Region

(R)



SPOT INSPECTION REPORT

(For SOP guidelines issued by the CPCB for Tyre Pyrolysis Oil Plant)

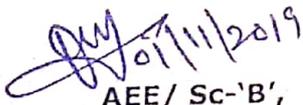
Dated: - 01/11/2019

Name of the unit: M/s Super Oil
Village Sotha, Teh Siwan, Distt. Kaithal

Sr. No.	SOP Guidelines	Compliance Status
2.1.1	The feed to the Pyrolysis reactor should be devoid of steel. After removal of steel wire the tyre can be put either in the form the crumbs or chips (which can be made simply by cutting without going for the shredding process). Further the feeding arrangement of the rubber crumb to the reactor should be mechanized.	Crumbs rubber available at site, for feeding the jaw Material Mechanical Feeder provided at the unit
2.1.2	The initial heating of the reactor should be done by liquid fuel or gas. The flue gas should be released to the environment through a chimney of at least 30 meters height.	For Initial Heating of the reactor MSD system provided Flue gas system with Stack Height 108 Feet provided for release.
2.1.3	After initial heating, during the Pyrolysis process, the pyro gas generated within the plant should be used as a fuel.	Pyro gas, will be generate within the unit.
2.1.4	Excess pyro gas if any should be flared through properly designed flaring system of adequate capacity considering the emergency situation in which the entire gas may have to be flared. The flaring should be done at a minimum height of 30 meter.	Flared system adequate with proper stack height.
2.1.5	Adequate instrumentation for measurement and control of temperature and pressure along with safety interlocks situation in case of increase of temperature pressure to cut off heating of the reactor should be provided. Automatic control systems such as programmed logic control (PLC) shall be adopted. It should be ensured that the reactor is under positive pressure all the time.	Unit has provided PLC system to control the temperature and pressure along with proper system.
2.1.6	In order to control fugitive emission from the reactor during operation, proper sealing should be ensured.	Proper sealing provided & will be checked after operation the unit.
2.1.7	The collection of the oil from the condensers should be in closed vessel and storage also should be in closed tanks with suitable vents. There should be no manual handling of oil. Transfer of oil should be through pumps.	The collection of pyro oil from condensers will be collect into closed vessel and storage into closed Tank through pump.

2.1.8	At the end of the Pyrolysis process the reactor has to be cooled before the removal of carbon. During this process, the reactor should be purged with nitrogen.	For cooled down the reactor Temp. during removal of Carbon Nitrogen Gas provided at site
2.1.9	The removal of carbon should be stated after the reactor's temperature has come down to below 50 °C.	Partner has informed that the carbon will be removed from reactor at 46°C
2.1.10	The removal of carbon should be through a mechanized system and it should be ensured that no spillage takes place during the collection of the carbon in the bags.	Conveyor provided for removal of Carbon Black.
2.1.11	Adequate number of sensors along with alarm system should be provided at suitable location throughout the plant to detect any leakage of flammable vapors from the system.	To detect any leakage of the system two alarm and sense provided at site.
2.1.12	Adequate firefighting system like sprinklers and fire hydrant with necessary pumping system and water storage should be provided.	Proper fire fighting system and water Tank provided at site.
2.1.13	The plot size should be adequate for storage of crumb or cut tries, oil and carbon blank in addition to the Pyrolysis plant and accessories as well as enough space for movement of fire tender in case of any emergency. A minimum indicative size of small plant is about 3000 square meters.	The plot size is more than 3600 Sq. Meter, which adequate for the activities during operation of the unit.
2.1.14	The plant shall possess clearance certificates issued by concerned departments.	Unit has obtained the necessary clearance certificate from concerned Deptt.
2.1.15	The carbon black and the oil obtained from the process should be supplied only to actual users/processors.	Unit has informed that they have obtained actual user agreement for the same.
2.1.16	The waste water generated in the process from condensers or any scrubbers should be properly treated in an effluent treatment plant and the sludge generated should be sent to TSDF.	ETP installed & presently unit is not in running due to sealed by Board.
2.1.17	Oil containing water condensate should be treated in suitable ETP. Oily sludge/residues should be disposed through TSDF.	ETP installed for the same treatment

Remarks:-


 AEE/ Sc-'B',
 Jind Region at Bhiwani

Regional Officer,
 Jind Region at Bhiwani

For SUPER OIL

 Partner